

## SCHWAB DEFENDS \$500,000 'LIBEL'

He Demands That the Suit of  
the Husband of His Wife's  
Niece Be Dismissed.

### TELLS OF SIZABLE LOANS

Charles M. Schwab through his attorney filed yesterday in the Supreme Court an answer to the complaint in the action brought against him by Titus de Bobula, an architect and a relative by marriage, to recover \$500,000 damages for slanderous statements Schwab is alleged to have made concerning the plaintiff. Mr. Schwab demands the dismissal of the suit on the grounds that what he is alleged to have said about De Bobula

was based upon incidents which had come under his personal observation. In his complaint, which was filed in the Supreme Court a month ago, De Bobula charges that the steel magnate referred to him as "being dishonest and a crook" and also that Schwab said "he would give \$1,000,000 if De Bobula would jump out of this window," indicating one in Schwab's office high above the ground. The plaintiff alleges the statements assailing his character were made in the presence of others and were false and uttered with the malicious intent of injuring his good name and reputation and of destroying his standing in the business world.

#### Husband of Wife's Niece.

Schwab prefaces his answer by stating that the plaintiff, who has an office in 2521 Palisade avenue and lives in 170 West Seventy-fourth street, is the husband of a niece of Mrs. Schwab and presumed upon this relationship to borrow large sums of money from the defendant and has never repaid the debts, continually increasing them and using Schwab as reference in business deals. Schwab states that in January, 1914, there was incorporated in New Jersey a corporation known as the Pressed Asbestos Products Company, of which De Bobula was vice-president and general manager. Schwab states that at the request of the plaintiff and the plaintiff's wife he loaned De Bobula \$15,000 with which to operate the concern, which shortly after its incorporation, was removed to Manhattan, an office and factory being established at 451 West Nineteenth street.

Soon afterward, it is alleged, the firm went through bankruptcy proceedings, William H. Willis being appointed as referee by the United States District Court. Continuing, Schwab alleges: "On information and belief the referee found that the plaintiff in this action had been in absolute control of the bankrupt corporation's affairs and had looted the company for his own benefit and had, with another person, engaged in a scheme to rob the company and had transferred to the other person, without consideration, assets aggregating \$14,784. It was further disclosed by the report that the plaintiff had used personally additional assets aggregating \$5,570.31. These sums he was ordered to turn over to the referee."

Schwab states that this report was brought to his attention by De Bobula, who said that should the report be confirmed he would be unable to make the payments demanded and was liable to go to prison. Schwab states that in March, 1917, he paid out sums aggregating \$6,821.70 for and in connection with the purchase or settlement of creditors' claims against the bankrupt corporation and that no part of that sum has been repaid by De Bobula.

Further allegations are that De Bobula and his wife induced Mr. Schwab to finance the former to engage in building operations in The Bronx, and that he advanced a loan of \$11,000, obtaining a written promise that he would not be asked for additional loans or other financial assistance. Despite this, Schwab alleges, De Bobula repeatedly found himself in financial difficulties and obtained sums aggregating \$139,000 in various amounts up to March 22, 1918. In addition, he states, he was called upon to meet indorsements of De Bobula and other items, as well as to straighten out various personal expenses incurred by De Bobula.

Schwab states that despite all the loans he made De Bobula, and the \$500 a month which Mrs. De Bobula, wife of the plaintiff, receives from a trust fund which Schwab created for her, De Bobula again came to him a few months ago with a hard luck story and asked for a further loan of \$12,000, saying he was heavily in debt because of his building operations. Schwab says he advanced this money, but only after De Bobula gave him his word of honor, and reduced this to writing, that under no circumstances would he again ask assistance or communicate with Schwab in any way, except to pay the interest on mortgages the defendant holds. He also promised, the answer asserts, not to refer to the steel man or further use his name directly or indirectly in connection with any of his business deals.

Because of these alleged facts Willard A. Mitchell of 141 Broadway, who is counsel for the defendant, asks for the dismissal of De Bobula's action.

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